Mr. U. Kandar Menon.—I rise to move for an additional allotment of Rs. 50 under X-A—Criminal Court Charges—Miscellaneous—Cranganur. The original allotment was Rs. 30. This is found quite insufficient. Additional expenditure was necessitated by the fact that all Magistrates' Courts were supplied with copies of Penal Code and Evidence Act and the cost of supplying these to the Cranganur Court comes to Rs. 50. I think the House will be pleased to allow this.

Mr. Thomas Manjuran.—The question may be put.

Question proposed: "*That an additional allotment of Rs. 50 under X A—Criminal Court charges—Miscellaneous—Cranganur be granted.*"

Question put and agreed to.

3. *X-A—Criminal Court Charges—T. A.—Cranganur—Rs. 15.*

President.—The next item is motion by the Secretary to the Diwan for an additional allotment of Rs. 15.

Mr. U. Kandar Menon.—I rise to move for an additional allotment of Rs. 15 under X-A—Criminal Court Charges—T. A.—Cranganur. The balance under that head is only Re. 1-4-0. An amount of Rs. 15 more will be required for the whole year.

Question proposed: "*That an additional allotment of Rs. 15 under X-A—Criminal Court charges—T. A.—Cranganur be granted.*"

Question put and agreed to.

4. *X-B—Law and Justice—Cranganur—Rs. 100.*

Mr. U. Kandar Menon.—Sir, I rise to move for an additional grant of Rs. 100 under X—Law and Justice—Cranganur. The original allotment of Rs 100 has almost run out, the balance being only Rs. 3--15—0. The District Munsiff, Cranganur, who is also the Sub-Magistrate there, had to make more circuits on account of certain criminal cases there that necessitated additional expenditure. An amount of Rs. 100 may be required for the balance of the year. I request the House will be pleased to vote for the grant.

Question proposed: "*That an additional allotment of Rs. 100 under X-B—Law and Justice—Cranganur be granted.*"

Question put and agreed to.

Bill to Amend the Cochin Penal Code.

President.—The Law Member will move to introduce a Bill to amend the Cochin Penal Code.

Mr. A. Sankara Menon.—Sir, I beg to introduce a Bill to amend the Cochin Penal Code and request that the Bill be read in Council.

Mr. T. K. Krishna Menon.—I second it.

Mr. A. Sankara Menon.—I do not think any speech is necessary. The amendments speak for themselves.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. K. P. Kannan Nayar.—Just on a point of information. It is stated here that, so far as foreign girls are concerned, it is not an offence if they are imported after 21 years of age. That is what is stated here, in the articles. In article 3 it is stated: "the contracting parties whose legislation may not at present be sufficient to deal with the offences contemplated by the two preceding articles engage to take or to propose to their respective legislatures the necessary steps to punish these offences according to their gravity."

The principles in this International Convention were endorsed in the International Convention regarding the traffic in women and children which was adopted by the Second Assembly of the League of Nations. In article 1 of this convention it is provided that the high contracting parties, in the event of their not being already parties to the International Convention of the 4th May 1910, shall transmit with the least possible delay their ratifications of, or adhesions to, that Instrument in the manner laid down therein. Further the term "under age" which did mean under 20 completed years of age according to paragraph B of the Final Protocol of the Convention of 1910, is now interpreted as meaning under 21 completed years of age by virtue of the provisions of article 5 of the International Convention adopted by the Second Assembly of the Legaue of Nations.

That is what we find here. So far as our amendment is concerned and so far as that passed in British India is concerned, is there anything which compels us to restrict this age to 18? Is there any objection to our increasing the age to 21 at least so far as these purposes alone are concerned?

Mr. A. Sankara Menon.—It is fixed at 18 because that is the age adopted by the British Government also. We are only giving effect to that understanding.

Mr. K. P. Kannan Nayar.—What I want to know is whether the understanding is that we should pass this similarly as is obtained in British India or whether we are only to give effect to the Convention.

Mr. A. Sankara Menon.—Only what has been accepted by the British Government. The age of majority here is 18 and so we have adopted it.

Mr. K. P. Kannan Nayar.—British India has fixed it at 18. Now what I am saying is only this. The object of this legislation seems to be for the purpose of preventing traffic in women for immoral purposes. As it stands, it is an offence to import a foreign girl only if she is imported before 21. After 21 it is stated there that, so far as the age of consent or some such thing is concerned, she will be in a proper position to

LIBRARY ARCHIVES Kerala Legislative Assembly

understand or to give her consent freely, and the consenting age, so far as the foreign girl is concerned, is fixed at 21, whereas we are fixing it at 18. Now, the law pre supposes that there is a demand for this sort of traffic in women. Is it not an indirect danger if we are going to limit our age to 18 and to allow a large number of our girls being exported into other countries? Unless we also increase our age to what is obtaining in other countries, there is this patent danger.

Mr. Thomas Manjuran.—So there will be a bigger demand.

Mr. K. P. Kannan Nayar.—Certainly there is a demand. Otherwise where is the necessity for this legislation? That is clear. It is because they want to stop this slave traffic that they have introduced this. It is only slave traffic as it is only for the purpose of importing or exporting girls for immoral purposes. Why I am saying this is this. When this subject was brought before the Legislative Assembly, there was a lot of discussion in limiting our age to 18, seeing this very danger itself. Suppose there is demand for such girls; they can't get foreign girls below 21 because it will be an offence to take a European girl if she is below 21. That deficiency will have to be supplied by exporting Indian girls. The same thing happens so far as Cochin is concerned.

President.—Was it treated as a controversial measure in the Legislative Assembly?

Mr K. P. Kannan Nayar.—Yes.

President.—This matter was debated?

Mr. K. P. Kannan Nayar.—Yes, and eventually it was passed. Originally it was only 16 and under section 352 it was raised to 18. The point is, there will be a large influx of Indian girls to other countries because it is not possible to take foreign girls, if that is necessary, who are below 21, and that vacuum will have to be filled by Indian girls. To fix one age limit for foreign girls for the purpose of giving consent and another limit for Indian girls seems rather awkward so far as India is concerned. My only point is I do not like our girls being exported for this purpose.

Mr. Thomas Manjuran.—So the question is one of economy.

President.—I do not think this is by way of opposition. It is not an amendment, I suppose.

Mr. K. P. Kannan Nayar.—No.

Mr. A. Sankara Menon.—The age of majority in other countries is generally 21 and that is the reason why they have fixed it at 21 with regard to girls to be imported from other places. I do not say universally, I say, generally. But here the

LIBRARY ARCHIVES Kerala Legislative Assembly

age of majority is 18 and that is adopted, and I do not think any useful purpose will be served by our having the age at 21 whereas in British India they have fixed it at 18.

Mr. K. P. Kannan Nayar.—There will be sufficient protection at least so far as Cochin is concerned.

President.—It is not an amendment. Anyhow, for the purpose of principle, it may be taken to be a non-controversial measure.

Motion put and agreed to.

President.—The Secretary will read the title of the Bill.

Secretary to the Council.—The title of the Bill is "A Bill to amend the Cochin Penal Code."

Mr. K. P. Kannan Nayar.—I do not know whether the Law Member is going to request the President to dispense with the Standing Order so as to pass on to the further stage. Unless there is any urgency, because I find that this law was passed in British India in the year 1924 and we are now in 1929, I would request the Law Member not to press the thing all at once.

Mr. A. Sankara Menon.—In that case I do not want the President to suspend the rule.

President.—You do not want to take it into consideration all at once? Then let it be there at this stage.

Resolutions on Matters of General Public Interest:—

(1) *Chalakkudi Potteries.*

President.—We will now proceed with the consideration of resolutions. The first resolution stands in the name of Mr. C. J. Mathew.

Mr. C. J. Mathew.—I move that "*This House recommends to the Government to appoint a Committee to inquire into the reasons for the present stand-still of the Chalakkudi Potteries and to suggest ways and means to run the same on up-to-date lines as a thorough-going Potteries concern.*"

Sir, the sad and most deplorable state into which our Chalakkudi Potteries has been reduced needs no comment at my hands. The original intention when the Potteries was started was not to confine its activities to the manufacture of minton tiles. Of course it is well and good to manufacture minton tiles, thus using part of the machinery at least for some profitable work unlike the Tanneries which stands completely useless. I congratulate the Chief Engineer for being able thus to utilise a part of machinery this way. But what about the 90 per cent of the remaining machinery which is remaining absolutely idle? I am told by the Hon'ble Member for Jenmies,

LIBRARY ARCHIVES Kerala Legislative Assembly